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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,954	01/20/2004	Herbert Martin	60,126-220	1463

27305 7590 10/01/2004

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EXAMINER

BALSIS, SHAY L

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 10/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/760,954		MARTIN ET AL.	
	Examiner		Art Unit	
	Shay L Balsis		1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1-20-04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

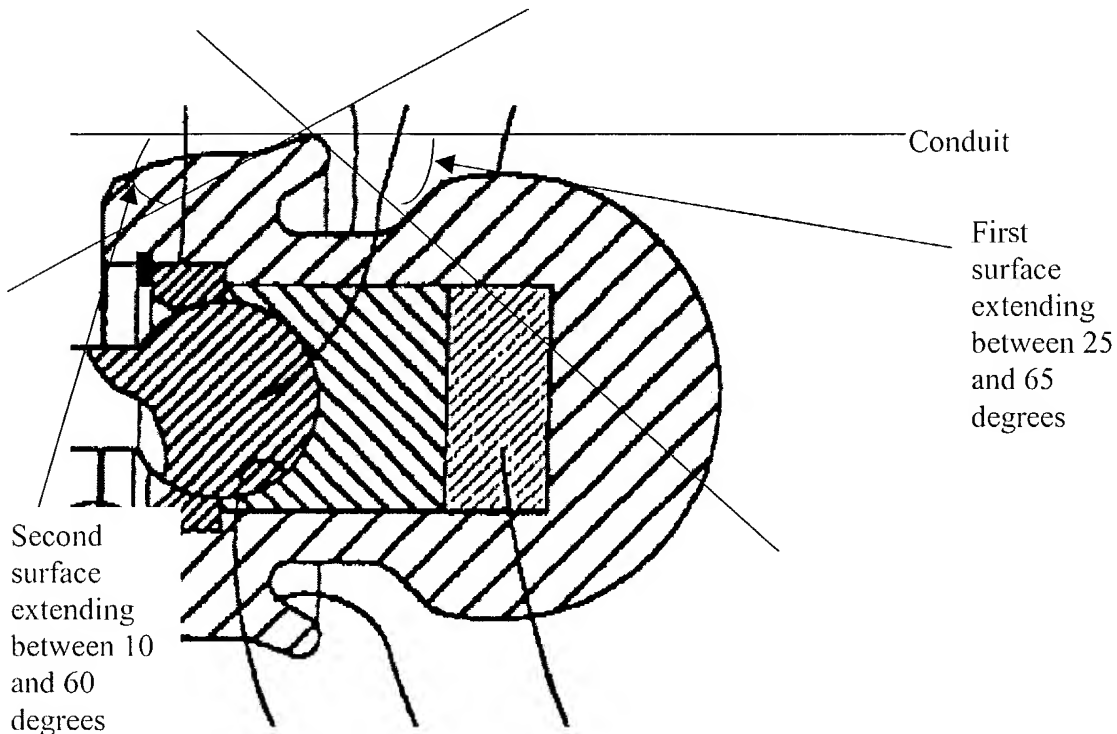
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-16 rejected under 35 U.S.C. 102(b) as being anticipated by Ando (USPN 6249927).

Ando teaches a pipe cleaner comprising a body (15) having a length and a longitudinal axis and a sealing lip (not labeled but shown on figure 1) parallel to the longitudinal axis of the body. The body and the sealing lip are integrally formed with respect to one another, wherein the body extends beyond the sealing lip. The sealing lip includes a sealing edge (not labeled but best represented by element 7 on figure 1) extending radially from the lip. There is a magnet signal transmitter (8) located within the body. The body is formed from a solvent resistant material. The sealing lip extends a first axial distance relative to the body and a second distance radially from the body wherein the second distance is 10% of the first distance. The sealing lip extends a free length and the free length is at least 6% of the length of the body. The pipe cleaner fits in a coating agent conduit that has an inner diameter. The outer diameter of the pipe cleaner body is 80% of the inner diameter of the pipe. The free length is at least 15% of said inner diameter. Additionally, the seal edge extends radially from the sealing lip wherein the sealing edge defines a first surface extending between 25 and 65 degrees with respect to the inner

wall of the conduit. There is a second surface adjacent the first surface that extends 10 to 60 degrees relative to the inner wall of the conduit. See figure below.

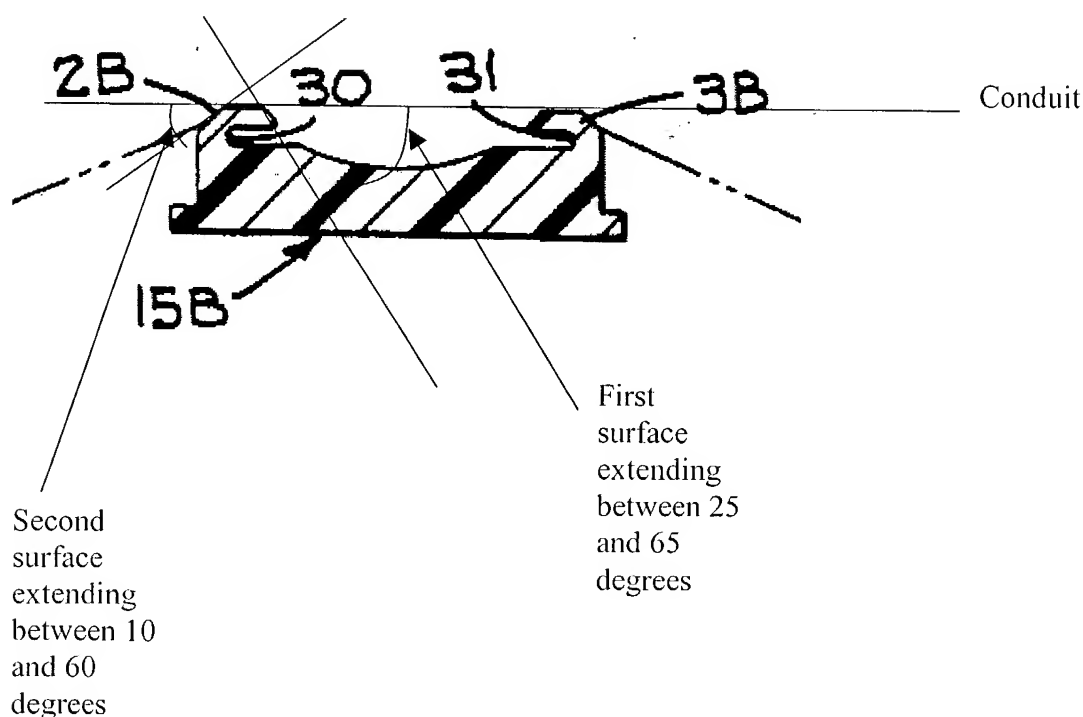


Claims 1, 3-16 rejected under 35 U.S.C. 102(b) as being anticipated by Le Devehat (USPN 5035021).

Le Devehat teaches a pipe cleaner comprising a body (4) having a length and a longitudinal axis and a sealing lip (15B, fig. 7) parallel to the longitudinal axis of the body. The body of the pipe cleaner extends beyond the sealing lip. The sealing lip includes a sealing edge (2B, 3B) extending radially from the lip. There is a magnet signal transmitter (13) located within the body. The body is formed from a solvent resistant material. The sealing lip extends a first axial distance relative to the body and a second distance radially from the body wherein the

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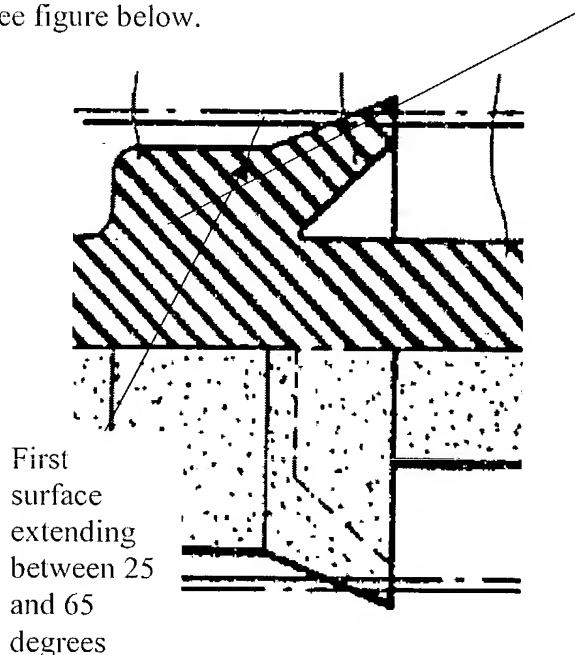
second distance is 10% of the first distance. The sealing lip extends a free length and the free length is at least 6% of the length of the body. The pipe cleaner fits in a coating agent conduit that has an inner diameter. The outer diameter of the pipe cleaner body is 80% of the inner diameter of the pipe. The free length is at least 15% of said inner diameter. Additionally, the seal edge extends radially from the sealing lip wherein the sealing edge defines a first surface extending between 25 and 65 degrees with respect to the inner wall of the conduit. There is a second surface adjacent the first surface that extends 10 to 60 degrees relative to the inner wall of the conduit. See figure below.



Claims 1-5, 10-15 rejected under 35 U.S.C. 102(b) as being anticipated by Ando (USPN 4653134).

Ando teaches a pipe cleaner comprising a body (4) having a length and a longitudinal axis and a sealing lip (1) parallel to the longitudinal axis of the body. The body and the sealing lip are integrally formed with respect to one another, wherein the body extends beyond the sealing lip. The sealing lip includes a sealing edge (3) extending radially from the lip. The sealing lip extends a first axial distance relative to the body and a second distance radially from the body wherein the second distance is 10% of the first distance. The sealing lip extends a free length and the free length is at least 6% of the length of the body. The pipe cleaner fits in a coating agent conduit that has an inner diameter. The outer diameter of the pipe cleaner body is 80% of the inner diameter of the pipe. The free length is at least 15% of said inner diameter. Additionally, the seal edge extends radially from the sealing lip wherein the sealing edge defines a first surface extending between 25 and 65 degrees with respect to the inner wall of the conduit.

See figure below.




Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shay L Balsis whose telephone number is 571-272-1268. The examiner can normally be reached on 7:30-5:00 M-Th, alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on 571-272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Slb
9/23/04


THOMAS P. TILL
Primary Examiner